
A BILL FOR AN ACT

RELATING TO HISTORIC PRESERVATION.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The legislature finds that there is cultural
2 value in historic preservation. This value is the basis for the
3 State need to provide efficient review of building permit
4 applications by each county department of planning and the state
5 historic preservation division of the department of land and
6 natural resources for appropriate classification of residential
7 properties listed or eligible for listing on the Hawaii register
8 of historic places.

9 The legislature further finds that Hawaii law provides that
10 any building, structure, object, district, area, or site over
11 fifty years old is considered historic property. Further,
12 current application of historic preservation law requires review
13 by the state historic preservation division prior to the
14 granting of permits for proposed projects on historic
15 properties. This requirement, in certain instances, has delayed
16 the granting of permits, which has had a negative impact on
17 development.



1 Concerns have been raised especially due to the increasing
2 numbers of private residences that are or will soon be fifty
3 years old. Beginning around 1950, and particularly after 1960,
4 was a period of growth in construction of housing to accommodate
5 the State's rapidly growing population. Some of these
6 residences are of historic or cultural value, while others are
7 not. Furthermore, some building projects requiring permitting
8 have no effect on the historic property. Therefore, it is
9 necessary to focus the State's limited resources on only those
10 building projects that will affect historic property.

11 The purpose of this Act is to:

12 (1) Direct the state historic preservation division to
13 temporarily redirect its resources to conduct a survey
14 of potential historic districts and single-family
15 residences for eligibility for listing on the Hawaii
16 register of historic places and categorically exclude
17 on a temporary basis certain single-family residences
18 from the definition of "historic property";

19 (2) Provide funds to the state historic preservation
20 division to:



(A) Conduct a survey to identify potential historic districts and single-family residences that may be eligible for listing on the Hawaii register of historic places; and

(B) Notify the property owner of the property's potential eligibility for listing on the Hawaii register of historic places; and

(3) Require the state historic preservation division to submit a report to the legislature no later than twenty days prior to the convening of the regular session of 2018.

The building industry and each county planning department are encouraged to monitor and report to the legislature on the impact of the survey and property owner notification requirement on the building permit application review process.

SECTION 2. Section 6E-2, Hawaii Revised Statutes, is amended by amending the definition of "historic property" to read as follows:

"Historic property" means any building, structure, object, district, area, or site, including heiau and underwater site, which is over fifty years old[-]; provided that privately owned



1 single-family residences fifty years or older shall only be
2 considered historic properties for the purposes of this chapter
3 if the residence is listed on the Hawaii register of historic
4 places, is nominated for listing on the Hawaii register of
5 historic places, or is located in a historic district."

6 SECTION 3. (a) The state historic preservation division
7 of the department of land and natural resources shall:

8 (1) Conduct a survey to identify potential historic
9 districts and single-family residences that may be
10 eligible for listing on the Hawaii register of
11 historic places; and

12 (2) Notify the property owner of the possible eligibility
13 of the property being listed on the Hawaii register of
14 historic places.

15 (b) The state historic preservation division of the
16 department of land and natural resources shall submit a report
17 to the legislature no later than twenty days prior to the
18 convening of the regular session of 2018. The report shall
19 include the results of the division's compliance with subsection
20 (a), including the number and types of properties examined and



1 determined likely to be included on the Hawaii register of
2 historic places, as well as the number of owners contacted.

3 (c) Properties not included or eligible for listing on the
4 Hawaii register of historic places shall not be subject to
5 review under section 6E-42, Hawaii Revised Statutes, and the
6 counties shall not submit projects affecting such properties to
7 the department for review under section 6E-42, Hawaii Revised
8 Statutes.

9 SECTION 4. There is appropriated out of the general
10 revenues of the State of Hawaii the sum of \$ or so
11 much thereof as may be necessary for fiscal year 2015-2016 and
12 the same sum or so much thereof as may be necessary for fiscal
13 year 2016-2017 to be deposited into the Hawaii historic
14 preservation special fund.

15 SECTION 5. There is appropriated out of the Hawaii
16 historic preservation special fund the sum of \$ or so
17 much thereof as may be necessary for fiscal year 2015-2016 and
18 the same sum or so much thereof as may be necessary for fiscal
19 year 2016-2017 to conduct a survey to identify potential
20 historic districts and single-family residences that may be
21 eligible for listing on the Hawaii register of historic places



1 and to notify the property owner of the property's potential
2 eligibility to be listed on the register.

3 The sums appropriated shall be expended by the department
4 of land and natural resources for the purposes of this Act.

5 SECTION 6. Statutory material to be repealed is bracketed
6 and stricken. New statutory material is underscored.

7 SECTION 7. This Act shall take effect on July 1, 2050;
8 provided that this Act shall be repealed on December 31, 2018,
9 and Section 6E-2, Hawaii Revised Statutes, shall be reenacted in
10 the form in which it read on the day before the effective date
11 of this Act.



Report Title:

State Historic Preservation Division; Historic Property Survey;
Appropriation

Description:

Amends the definition of "historic property" to include the requirement that the property be eligible for listing on the Hawaii register of historic places or is located in a historic district. Requires the state historic preservation division of the department of land and natural resources to conduct a survey on properties eligible for listing on the Hawaii register of historic places and to provide owners of historic property with notice of the property's likely eligibility. Appropriates funds to conduct the survey and notify property owners. Effective 7/1/2050. Repeals 12/31/2018. (SD1)

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

